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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) <i>16565</i>
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<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>		
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>26,855</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p><u>William J. Clemens</u> Signature <u>WILLIAM J. CLEMENS</u> Typed or printed name</p> <p><u>248-960-2100</u> Telephone number</p> <p><u>JUNE 13, 2007</u> Date</p>		
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>		

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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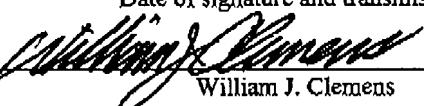
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By



William J. Clemens

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: PETER SPIESS)	Group Art Unit: 3654
)	
Serial No.: 10/677,989)	Examiner: E. Pico
)	
Filed: October 2, 2003)	Attorney Docket: 16565
)	
For: DOOR WITH SLIDING DOOR LEAF AND WITH GUIDE MEANS)	Confirmation No.: 9067
)	

Commissioner for Patents
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Honorable Sir:

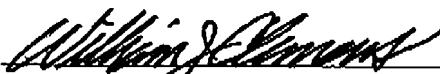
Review of the above-identified application is requested for the following reasons:

1. The Examiner rejected Claims 11 and 12 under 35 U.S.C. 102(b) as being anticipated by Steele U.S. Patent No. 3255807. The Examiner stated that Steele discloses a door comprising a door leaf 22 having an edge surface extending in a plane and guide elements 50, 52 extending generally perpendicular to the plane of the edge surface, and a guide surface 38 extending in a plane generally perpendicular to the plane of the edge surface. (Final Office Action, Page 2, Paragraph 3)
2. The Examiner failed to identify the edge surface of the Steele door leaf 22 to which he refers. However, Applicant's position is that the guide elements 50, 52 and the plane of the guide surface 38 extend parallel to all of the edge surfaces of the door leaf 22. See Applicant's Amendment filed December 22, 2006 at page 9.

3. The Examiner rejected Claims 1-3, 5-7, 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over Steele in view of McAulay Jr. U.S. Patent No. 3523390. The Examiner stated that it would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the movable belt disclosed by Steele for contact with a generally vertical guide surface as taught by McAulay Jr. and mount the guide elements disclosed by Steele generally parallel to a vertical plane of the guide surface as taught by McAulay Jr. to facilitate the movement and guidance of the sliding door.

4. The Examiner failed to explain why one of ordinary skill in the art, when faced with a vertical guide surface, would be motivated to select the Steele door, remove the extruded trim 54 from the door, and rotate the track member 40 90°. The Steele door 20 carries its own track member so that it does not require specially constructed guideways in the threshold. Col. 1, Lines 22-27. Thus, Steele teaches away from the elevator door construction of McAulay Jr. that has an elongated groove 20 formed in the door sill 17. See Applicant's Amendment filed December 22, 2006 at pages 8-9.

Respectfully submitted,



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